defendant's agents the cotton had already been delivered to another firm which had sold it. Plaintiffs then brought this suit on the bills of lading and defendants answered that the dates of the bills of lading were notice to the plaintiffs. *Held,* under Acts 1868, p. 194, No. 150, Laws of Louisiana, bills of lading are to be taken in the same manner and to the same extent as bills of exchange and promissory notes, and are negotiable in an unrestricted sense. Hence the plaintiffs took these bills of lading free from equitable defenses. *William T. Hardie & Co.* v. *Vicksburg, S. & P. Rv. Co.* (1907), — La. —, 42 So. Rep. 793.

It is generally held that bills of lading stand as representatives of goods and not of money, and so, as chattels are not negotiable, no greater effect can be given to the transfer of the symbol than to that of the thing which it represents, and the transferee gets no better title to the goods which the bill of lading represents than the transferrer had. *Shaw* v. *Railroad Co.,* 101 U. S. 557; *Moore & Co.* v. *Robinson,* 62 Ala. 537; *Robinson* v. *Stuart,* 68 Me. 61; *Baltimore &c. R. Co.* v. *Wilkens,* 44 Md. 11; *Stollenwerck* v. *Thatcher,* 115 Mass 224; *Dows* v. *Greene,* 24 N. Y. 638; *Decan* v. *Shipper,* 35 Pa. St. 239. And statutes declaring bills of lading to be negotiable instruments are held to merely recognize the power of the holder of the bill of lading to transfer title to the property by a transfer of the bill of lading, and not to give bills of lading all the characteristics of commercial paper. *Turner* v. *Israel,* 64 Ark. 244; *Shaw* v. *Railroad Co.,* 101 U. S. 557; *Lallande* v. *His Creditors,* 42 La. Ann. 705; *Nat. Bank of Commerce* v. *Railroad Co.,* 44 Minn. 224. But where the wording of the statute shows the unmistakable intent of the legislature to make bills of lading negotiable in an unrestricted sense of the word, as in the principal case where the statute made them "negotiable to the same extent as bills of exchange and promissory notes," it has been held that they possess all of the characteristics, as to negotiability, of commercial paper. *Tiedeman* v. *Knox,* 53 Md. 612.

CONSTITUTIONAL LAW—COMMERCE CLAUSE—STATUTE RELATING TO INTERSTATE CARRIERS AS EMPLOYERS.—Section 10 of Act of June 1, 1898, 30 St. 428 (U. S. Comp. St. 1901, p. 3210), which section makes it a misdemeanor for any employer engaged in interstate transportation by railroad or water to make it a condition of employment that an employee shall not become or remain a member of a labor union, or to otherwise discriminate against a member of such union, is void. Its purpose and result is not to regulate commerce, but to limit an employer's right of contract, and its terms are so broad as to include employees engaged exclusively in intrastate traffic. *United States* v. *Scott* (1906), — D. C., W. D., Ky. —, 148 Fed. Rep. 431.

The object of the provision was plainly to advance the interests of the labor union. When an act of Congress lies unquestionably within one of its enumerated powers, it is immaterial what ulterior purpose may have prompted its passage. An obvious example of this is a protective tariff or an embargo act. *United States* v. *William,* 28 Fed. Cas. 614, Cas. No. 16,700. But where, as in the present case, an act can be sustained only as the exercise of an implied power, its policy and effect become a matter of judicial inquiry to

determine whether it is "appropriate" and "plainly adapted" to the end in view. *Trade-Mark Cases,* 100 U. S. 82. The power of Congress over interstate commerce is without limitation, extending to matters both general and local. It may make regulations for the protection of passengers and freight, for the safety, health and comfort, of employees, when actually engaged in duties pertaining to interstate commerce, and for the purpose of promoting greater efficiency in service. COOLEY, CONST. LIM., 7th Ed. 856; *Gloucester Ferry Co.* v. *Pa.* 114 U. S. 196; *Sherlock et al.* v. *Alling,* 93 U. S. 99. But such regulations must have a direct bearing upon interstate commerce. The provision in question is a regulation rather of interstate carriers than of interstate commerce. The connection is too remote. On similar grounds it has been decided that the inspection of meat at packing houses shipping their products to other states and foreign countries, *United States* v. *Boyer,* 85 Fed. Rep. 425, or the regulation of manufacturing establishments, doing interstate business, *Kidd* v. *Pearson,* 128 U. S. 1, does not lie within the powers of Congress. A further reason for declaring the clause unconstitutional was that its provisions are so general as to be applicable alike to matters pertaining to intra- and to interstate commerce. *Trade-Mark Cases,* 100 U. S. 82.

CONSTITUTIONAL LAW—INDETERMINATE SENTENCE LAW.—The Michigan "Indeterminate Sentence Law" (Act No. 184, p. 268, Public Acts 1905) provides that a court imposing sentence, shall not fix a definite term of imprisonment, but shall fix a minimum, and shall recommend a proper maximum penalty, not exceeding the maximum provided by law, and that when the minimum term of imprisonment has expired, the Governor in certain cases, and in others, the Advisory Board in the Matter of Pardons, may, upon application and investigation, in their discretion, allow the applicant to go at large. The act further provides that satisfactory evidence must be submitted that arrangements have been made for the employment of the prisoner, and that upon violation of his parole, a convict may be retaken. It also provides for fixing the length of the probationary period before final discharge. This act has recently been *held* constitutional in *People* v. *Cook* (1907), — Mich. —, 110 N. W. Rep. 514. The question of the validity of the act, although not directly involved, was discussed in another recent case—that of *Manaca* v. *Ionia Circuit Judge* (1906), — Mich. —, 110 N. W. Rep. 75.

This act is the latest of a series of enactments by the Michigan Legislature having in view the same general purpose, i. e., of reforming convicts rather than the furtherance of vindictive justice. In 1889 an indeterminate sentence law (Act No. 228, p. 357, Public Acts of 1889) similar to the one now in question, but more general in its terms, was enacted. That act was held unconstitutional in *People* v. *Cummings,* 88 Mich. 249, 50 N. W. Rep. 310, 14 L. R. A. 285. A constitutional amendment (Art. 4, § 47) was then adopted, authorizing such legislation. In pursuance of this authority, another act (Act No. 136, p. 168, Public Acts of 1903) was passed. This act was constitutional. (*In re Campbell,* 138 Mich. 597, 101 N. W. Rep. 826), but it was repealed by the present act. In the present case the arguments ordinarily used in assailing the validity of such legislation were presented. The court